

LYNDON CITY COUNCIL
REGULAR MEETING MINUTES OF
May 20, 2019

The Lyndon City Council met in regular session on Monday, May 20, 2019, 7:00 p.m., at City Hall.

1. CALL TO ORDER: Mayor Morrison called the meeting to order.

- a) ROLL CALL: City Clerk called roll of the City Council. Mayor Morrison and members Bill Patterson, Doug Harty, Kevin Heit, Darin Schmitt and Katie Shepard (7:07) present.

City Staff present: Pat Walsh, City Attorney; Julie Stutzman, City Clerk; Darrel Manning, Chief of Police; and Scott Culley, Public Works; and David Forkenbrock, Officer.

Others Present: Wes Weishaar, BG Consultants; Lynn Atchison; George Stutzman; Ed Beatty; Robert Ellis; and Gene Hirt.

2. APPROVAL OF MINUTES OF PREVIOUS MEETING:

- a) Patterson made the motion to approve the regular meeting minutes of May 6, 2019 as amended. Harty seconded; motion carried.

3. CONSENT AGENDA:

- a) Approval of Bills: Harty made the motion to approve the bills as set forth. Patterson seconded; motion carried.

4. PUBLIC COMMENTS: Mr. Ellis spoke with the Council about the previous issue at his property at 916 Topeka with one of the subcontractors and stated he refused to sign the release and the \$500. He stated the subcontractor would not guarantee his work and did not put the rock on his property as requested. After brief discussion, it was noted that the engineer will work on getting documentation from the contractor about that area of work and that the City would help in any way, however, in the end it is between Mr. Ellis and the contractor to resolve the issue.

Mr. Hirt spoke with Council in regards to drainage issues near City Park and around town.

Mr. Beatty stated he lives on west 8th Street and there is a problem with the neighboring house on the backside of his property of being a "trash pit". He asked if there was an ordinance to remedy this issue and who enforces those ordinances. Mayor Morrison stated that Chief Manning enforces the ordinances and it was noted by Chief Manning that the property has already been cited and waiting for the time limit as outlined in the ordinance to expire. Residents are given 10 days to clean up the issue and the property in question is on day six.

5. CORRESPONDENCE TO COUNCIL:

- Letter from Jeff Clark in regards to the shelter house roof project at Jones Park and brief discussion held in regards to purchasing local goods.

6. UNFINISHED BUSINESS:

- a) SEWER PLANT PROJECT UPDATE – BG CONSULTANTS: Wes Weishaar with BG Consultants provided Council with the following project update:

After the construction progress meeting on May 8, 2019, they conducted a walk-through of the headworks building with the State Inspector for KDHE, Wade Keitel and State Engineer for USDA, Randy Stone and discussed the project status. It was considered to be at the point of substantial completion; however, several punch items were noted which will need to be completed.

Wastewater Treatment Improvements: Substantially Complete.

- Lagoons and Headworks nearly complete. Punch list items remain.
- Substantial completion date of May 3 proposed. Certificate is ready for approval.
- Pay App #13: \$200,040.49

Sanitary Sewer Service Tap Improvements: 90% complete.

- Hwy 75 work borings complete. One short-side dig being completed now.
- Contractor wrapping up remaining few taps and restoration where wet soil allows.
- Post-construction CCTV inspection underway.
- Final project completion anticipated by late May.
- Pay App #12: \$224,382.57

- b) BRB PAY APP #13: Schmitt made the motion to approve Pay App #13 for BRB Contractors in the amount of \$200,040.49. Harty seconded; motion carried.
- c) PIPE SERVICES PAY APP #12: Schmitt made the motion to approve Pay App #12 for Pipe Services in the amount of \$224,382.57. Shepard seconded; motion carried.
- d) CERTIFICATION OF SUBSTANTIAL COMPLETION FOR BRB CONTRACTORS: Schmitt made the motion to approve and authorize the Mayor to sign the certificate. Heit seconded; motion carried.

7. NEW BUSINESS:

- a) APPROVAL OF OFFICER TRAINING: Officer Forkenbrock provided Council with information about training that he would like to attend for death and homicide investigation. The class is October 21 through October 23 in Lawrence and the cost of the training is \$300. After brief discussion, Council tabled the matter.

8. STAFF REPORTS:

- a) POLICE: Chief Manning provided a copy of the Officer's Activity Report for May 5 through May 19, 2019.
- b) PLANNING AND ZONING: Received report from Zoning Administrator Travis Brown and copies of the approved fence and sign permits for review. The Zoning Administrator was unable to attend the meeting due to another commitment.
- c) PUBLIC WORKS: Council received a copy of the Maintenance Activity report from May 7 to May 20, 2019 and briefly discussed.
- d) CITY CLERK: Council received a copy of the Clerk's report.

Met with Taro Eldridge, State Entomologist with the Kansas Department of Agriculture. On May 8, an Ash tree in poor condition near the trail that was girdled to aid in the detection of EAB infestation. The City Clerk stated that the sticky chemical that was put on the tree is organic and not harmful to humans and that also two prism traps were put at City Park and a residence on Adams St. She also stated the Ash tree at the park that was girdled is not one of the memorial trees planted for Jeremiah Tevis.

9. COUNCIL/MAYOR COMMENTS AND REPORTS:

Patterson stated he as well as Shepard had been approached about the bathrooms at Jones Park being opened up during baseball and softball practices. He stated one individual even offered to pay for coded locks so that these were available during those times. The City Clerk stated she spoke with the Rec Director who did not think it was viable due to issues in the past and was also asked to talk with coaches about the issues and why they will not be opened.

Patterson spoke about a drainage issue on 6th Street next to the residence at 219 E 6th which has now become a swamp-like area and asked about a remedy of the situation. It was noted there was a sewer repair there and the contractor will be contacted to address the issue.

Patterson stated that Ms. Fitch at the school was working with a company in regards to shredding of unneeded documentation and encouraged the City Clerk to check with her about a shred day.

Shepard stated that she has had many questions as well as voiced excitement from residents about the Veteran's Banner Project.

10. EXECUTIVE SESSION: At 8:19 p.m., Shepard made the motion to recess to executive session for 10-minutes for attorney-client privilege with City Attorney Walsh. Patterson seconded; motion carried. At 8:29 p.m. Council reconvened with no binding action taken.

At 8:30 p.m., Patterson made the motion to recess to executive session for 10-minutes for non-elected personnel with City Attorney Walsh attending. Heit seconded; motion carried. At 8:40 p.m., Council reconvened with no binding action taken.

At 8:41 p.m., Shepard made the motion to recess to executive session for 10 minutes for non-elected personnel with City Attorney Walsh. Harty seconded; motion carried. At 8:51 p.m. Shepard made the motion to proceed with advertising the position of Chief of Police. Harty seconded; motion carried.

11. ADJOURNMENT: Schmitt made the motion to adjourn to Monday, June 3, 2019 for regular meeting. Shepard seconded; motion carried.

Respectfully submitted,

Julie Stutzman, CMC

Julie Stutzman, CMC
City Clerk

Approved by the governing body on June 3, 2019

Attest: Julie Stutzman, CMC

Julie Stutzman, CMC
City Clerk

